

RESPONSE UNDER 37 C.F.R. §1.111
Application Number: 10/646,707

Our Ref: Q77021
Art Unit: 1773

REMARKS

Foreign Priority:

Applicant notes that the Examiner has not yet acknowledged the claim to foreign priority under 35 U.S.C. § 119(a)-(d), or receipt of the certified copies of the priority documents.

Therefore, Applicant respectfully requests the Examiner acknowledge Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d).

Information Disclosure Statement:

Applicant thanks the Examiner for acknowledging and initialing the Form PTO/SB/08 A & B filed with the present application, thus indicating that all of the references listed thereon have been considered.

Allowable Subject Matter:

Applicant thanks the Examiner for indicating that although claims 7-9 have been objected to, these claims would be allowable if written in independent form.

Claim Rejections:

Claims 1-10 are all of the claims pending in the present application, and currently claims 1-6 and 10 stand rejected.

35 U.S.C. § 102(e) Rejection – Claims 1-6 and 10:

Claims 1-6 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2003/0127007 to Sakurai et al. In view of the following, Applicant respectfully traverses the above rejection.

As an initial matter, Applicant notes that the US filing date for the Sakurai reference is November 22, 2002, which is after the filing date of both of the foreign priority documents for

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the present application (i.e. August 27, 2002 and September 10, 2002). Thus, Applicant submits herewith certified English translations for both of the priority documents of the present application (i.e. JP 2002-246940 and JP 2002-263751).

Therefore, Applicant submits that the Sakurai reference is not available as prior art under the provisions of 35 U.S.C. § 102, and the above claims are now allowable.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

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